

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

PL 2
26888

FILE: B-213512

DATE: November 18, 1983

MATTER OF: Magnetic Specialty, Inc.

DIGEST:

Copy of a lost bid may not be submitted after bid opening where the bid was lost by the Postal Service after being sent by registered mail, since that would be inconsistent with protecting the integrity of the competitive bidding system.

Magnetic Specialty, Inc., protests the rejection by the General Services Administration (GSA) of its bid submitted under invitation for bids No. AT/TC 19429. GSA rejected the bid because it was received after the bid opening.

Magnetic Specialty contends that the late arrival of its bid was due solely to mishandling of the bid by the government. The bid was sent by the Postal Service, registered mail, return receipt requested, on August 12, 1983, and was lost in the mail. Magnetic Specialty subsequently submitted a copy of the bid after the bid opening on August 17, 1983.

We need not consider whether the exceptions to receipt of a late bid apply here because we have held that a bidder cannot provide a copy of its bid for consideration after bid opening where the original bid was lost before the opening of bids, since it would be inconsistent with preserving the integrity of the competitive bidding system. See Prestex, Inc.; Putnam Mills Corporation, B-205478, B-205478.2, February 17, 1982, 82-1 CPD 140. In Prestex, the bid was lost by the contracting agency after delivery by the Postal Service. Here, the bid was lost by the Postal Service and was never delivered. Regarding mishandling by the government, we have held that the Postal Service's failure to timely deliver a bid does not constitute government mishandling at a government installation so as to invoke the late bid clause exception. Enrico Roman, Inc., B-196350, January 21, 1980, 80-1 CPD 61.

In the absence of the original bid that Magnetic Specialty submitted by registered mail, there is no certainty that the bid presented after bid opening is identical to the bid lost before bid opening. Accordingly, GSA properly rejected Magnetic Specialty's late bid.

027284

We summarily deny the protest.

for *Harry D. Van Cleave*
Comptroller General
of the United States